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April 4, 2024

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**By ECF**

Honorable Katherine Polk Failla  
United States District Judge  
Southern District of New York  
40 Foley Square  
New York, New York 10007

**MEMO ENDORSED**

**Re: United States v. Roman Storm  
23 Cr. 430 (KPF)**

Dear Judge Failla:

We write on behalf of our client, defendant Roman Storm, in the above-captioned case to respectfully submit a corrected version of Mr. Storm's motion to dismiss that was filed on March 29, 2024. (*See* Dkt. 30.) After filing the motion to dismiss, defense counsel noticed the following two errors in the motion that could cause the Court (or government) to misunderstand an important defense argument:

P. 9, end of first paragraph: "the Peppersec UI" should read, "Peppersec."

P. 9, fn. 6, last sentence: "the Peppersec UI" should read, "Peppersec."

The defense therefore respectfully requests that the attached motion to dismiss, which corrects those two errors and makes no other changes, be the operative motion to dismiss before the Court.

Respectfully submitted,

Brian E. Klein  
Keri Curtis Axel  
Kevin M. Casey  
Waymaker LLP

*Attorneys for Roman Storm*

Attachment: Exhibit A – Corrected Motion to Dismiss

Application GRANTED. The Clerk of Court is directed to terminate the pending motion at docket number 37.

Dated: April 5, 2024  
New York, New York

SO ORDERED.

A handwritten signature in blue ink, reading "Katherine Polk Failla". The signature is written in a cursive, flowing style.

HON. KATHERINE POLK FAILLA  
UNITED STATES DISTRICT JUDGE